

House File 2092 - Introduced

HOUSE FILE 2092

BY FORBES

A BILL FOR

1 An Act requiring minors to wear helmets while riding
2 motorcycles, motorized bicycles, and all-terrain vehicles,
3 and providing penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.275, Code 2018, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 9. *Helmets required for minors.*

4 a. A person under eighteen years of age shall not operate
5 a motorcycle or motorized bicycle on the highways unless the
6 person is wearing a safety helmet.

7 b. A person shall not operate a motorcycle or motorized
8 bicycle on the highways accompanied by a passenger under
9 eighteen years of age unless the passenger is wearing a safety
10 helmet.

11 c. For purposes of this subsection, "*wearing a safety*
12 *helmet*" means having a safety helmet that complies with the
13 standards and specifications established in 49 C.F.R. §571.218
14 on the person's head that is fastened with the helmet straps
15 and that is of a size that fits the person's head securely
16 without excessive lateral or vertical movement. The department
17 shall adopt rules establishing guidelines for approved safety
18 helmets and shall maintain and publish a list of approved
19 safety helmets. The list need not be inclusive.

20 Sec. 2. NEW SECTION. 321I.21A **Minors under eighteen —**
21 **helmets required.**

22 1. A person under eighteen years of age shall not operate
23 an all-terrain vehicle, including an off-road motorcycle, on a
24 designated riding area, designated riding trail, public land,
25 or public ice unless the person is wearing a safety helmet.

26 2. A person shall not operate an all-terrain vehicle,
27 including an off-road motorcycle, on a designated riding area,
28 designated riding trail, public land, or public ice accompanied
29 by a passenger under eighteen years of age unless the passenger
30 is wearing a safety helmet.

31 3. For purposes of this section, "*wearing a safety helmet*"
32 means as defined in section 321.275.

33 Sec. 3. Section 805.8A, subsection 6, paragraph b, Code
34 2018, is amended to read as follows:

35 b. Section 321.275, subsections 1 through, 2, 3, 4, 5, 6,

1 7, and 9

2\$ 35.

3 Sec. 4. Section 805.8B, subsection 2A, Code 2018, is amended
4 by adding the following new paragraph:

5 NEW PARAGRAPH. *Oh.* For violations of section 321I.21A, the
6 scheduled fine is thirty-five dollars.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 This bill prohibits a person under 18 years of age from
11 operating a motorcycle or motorized bicycle on the highways
12 unless the person is wearing a safety helmet. The bill also
13 prohibits any person from operating a motorcycle or motorized
14 bicycle on the highways accompanied by a passenger under 18
15 years of age unless the passenger is wearing a safety helmet.
16 The bill provides that a violation of these provisions is
17 punishable by a scheduled fine of \$35.

18 In addition, the bill prohibits a person under 18 years
19 of age from operating an all-terrain vehicle, including an
20 off-road motorcycle, on a designated riding area, designated
21 riding trail, public land, or public ice unless the person is
22 wearing a safety helmet. The bill also prohibits any person
23 from operating an all-terrain vehicle, including an off-road
24 motorcycle, on a designated riding area, designated riding
25 trail, public land, or public ice accompanied by a passenger
26 under 18 years of age unless the passenger is wearing a safety
27 helmet. The bill provides that a violation of these provisions
28 is punishable by a scheduled fine of \$35.

29 Under the bill, "wearing a safety helmet" means having
30 a safety helmet that complies with the standards and
31 specifications established in the Code of Federal Regulations
32 on the person's head that is fastened with the helmet straps
33 and that is of a size that fits the person's head securely
34 without excessive lateral or vertical movement.